

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendment and the discussion below.

Applicants invention has been discussed in the Amendment filed March 4, 2003 with the following comments being made to address the claim changes and the outstanding Action.

Claims 1-68 have been rejected under 35 U.S.C. 112, first paragraph as failing to comply with the enabling requirement concerning how the spring acts as a rotating drive unit to exert a force in the axial direction to rotate the nut and linearly move the spindle. Additionally, it is not understood, according to the rejection, how the motor and the spring device 32 can be a combination to cause the spindle to be dispatched to release the solar panel. With respect to claims 30-36 and 59 it was indicated that the mountings are not understood as being "tiltable".

In response to the rejection Applicants have cancelled independent claims 4, 39, 50, 63, 65 and 68 so that none of the remaining independent claims 1, 37, 48, 60 and 66 contain the objected to recitation concerning the rotating drive unit exerting a force in the axial direction to rotate the nut and linearly move the spindle.

With respect to claims 30-36 and 59, Applicants submit that the mountings are of a ball-type joint which is by definition "tiltable".

Claims 1-3, 11, 16-18, 23-25, 29-31, 36-38, 43-49, 54-62, 66 and 67 have been rejected under 35 U.S.C. 112, with respect to the term "connected rotatably fixed". In response to this rejection Applicants have clarified independent claims 1, 37, 48

and 66 by reciting that the rotating drive unit 2 is fixed to the nut 1 and the drive unit operatively supplies a torsional force to the nut. This is supported in the specification at page 11 which contains an indication that the rotational drive unit 2 is a spring in a pre-stressed condition before the nut 1 performs the rotation motion. After the stop is released, a rotational motion of the sleeve 5 occurs which entails therefore also a rotational motion of the nut 1. Therefore claims 1, 37, 48 and 66 are fully supported by the originally filed specification and are constructed to particularly point out and distinctly claim the subject matter of the invention sufficiently to meet the requirements of 35 U.S.C. 112.

Claims 1, 2, 11, 16 and 60, as best understood, have been rejected under 35 U.S.C. 102 as being anticipated by Stanley while claims 17, 18, 23-25 and 29, as best understood, have been rejected under 35 U.S.C. 103 as unpatentable over Stanley in view of Madey. Claims 30, 31 and 36 have been rejected over the combination of Stanley, Madey and Schonfield while claim 3 is rejected over the combination of Stanley and Hansen and claims 4-10, 12-15, 37-43, 46-54, 57, 58 and 60-68 have been rejected over the combination of Roth et al. in view of Stanley. Claims 19-22, 26-28, 44, 45-55 and 56 have been rejected as unpatentable over Roth et al., Stanley and Madey. Lastly, claims 32-35 and 59 are rejected over the combination of Roth et al., Stanley and Schonfield.

Applicants respectfully traverse each of these rejections on the grounds that independent claims 1, 37, 48, 60 and 66 each provide structural features or method

limitations which are not shown or disclosed or made obvious by the references or their combinations.

Each of these references have been discussed in the previously filed Response of March 4, 2003.

The reference to Stanley, '761, does not have a suggestion that the rotating drive unit is connected fixed to the nut and operatively supplies torsional force to the nut. If the rotating drive unit is the motor 108 in Figure 5 of Stanley and if, as alleged, the element 44 is the nut, then the present invention does not result because the motor 108 turns the shaft 110 to turn the gear 106 to provide rotation relative to the nut 44. As a result the nut rotates around spindle 12 which translate into linear motion. In Stanley, the gear 106 and the nut 44 must have relative rotation in order to rotate the nut. Therefore the rotating drive unit and nut are not in a relationship whereby the drive unit is connected fixed to the nut and operatively supplies a torsional force to the nut.

The secondary reference to Roth et al., used in the rejection of independent claims 37, 48, 60 and 66, adds nothing toward meeting the claim limitations absent from the reference to Stanley. The reference to Roth et al. does not have a rotating drive unit. The pretension spring elements, including the fastener 13, serves to pretension the bolt 3, however, the spring element and fastener 13 do not provide conversion of rotational motion into translational motion. The entire device illustrated in Figure 6 of Roth et al. has nut halves being separated in order to allow the pretension to pull back the retaining bolt 3. The remaining secondary

references to Schonfield, Hansen and Madey failed to provide any teaching to make any obvious combination which would yield the presently claimed invention defined by the remaining independent claims 1, 37, 48, 60 and 66 in light of the clarification of the relationship between the rotating drive and the nut.

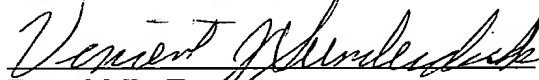
Therefore in view of the sufficiency of claim structure of the claims remaining in this application to meet the requirements of 35 U.S.C. 112, and in view of the distinguishing features between the claimed invention and the references as defined by each of independent claims 1, 37, 48, 60 and 66, Applicants respectfully request that this application be allowed and be passed to issue.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #010739.49910US).

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Respectfully submitted,



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